

Federal Defenders
OF NEW YORK, INC.

Southern District
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MEMO ENDORSED

APR 11 2008 Southern District of New York
John J. Byrnes
Attorney-in-Charge

VIA HAND DELIVERY

April 11, 2008

The Honorable John F. Keenan
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: United States v. Jose Dolores Garcia
07-cr-1070 (JFK)

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 4-11-08

Dear Judge Keenan:

I write to request a thirty day adjournment of Jose Garcia's sentencing hearing, currently scheduled for April 17, 2008. Mr. Garcia awaits sentencing after his plea of guilty to illegal reentry, and he remains in custody. I have spoken to counsel for the Government and to Mr. Garcia about my request for an adjournment, and both parties consent.

On April 9, 2008, I met with Mr. Garcia at the Metropolitan Detention Center (MDC) to discuss matters related to his upcoming sentencing. At that time, he advised me of information he has obtained since his incarceration involving crimes allegedly committed by his fellow inmates. I believe this information warrants additional investigation by my office as it may impact Mr. Garcia's sentence. I have informed counsel for the Government about my conversation with Mr. Garcia and my plans to attempt to verify the information.

I anticipate that an adjournment of thirty days will be sufficient to allow me to conduct any necessary investigation and submit any mitigation letters in advance of the sentencing hearing.

*Sentencing is adjourned
To May 21, 2008 at
10 AM.*

Respectfully submitted,

Hugh M. Mundy
Attorney for Jose Garcia
212-417-8737

cc: Amie Ely, AUSA, via facsimile
Jeffrey Alberts, AUSA, via facsimile

*As ordered
April 11, 2008*

*John F. Keenan
U.S.D.J.*